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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,861	12/31/2003	Stratton C. Lloyd	OIC0118US	6302
6/6/75      7590      05/30/2008 CAMPBELL STEPHENSON LLP 11401 CENTURY OAKS TERRACE BLDG. H, SUITE 250 AUSTIN, TX 78758				
EXAMINER				
SHIH, HAOSHIAN				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/749,861

**Applicant(s)**

LLOYD ET AL.

**Examiner**

HAOSHIAN SHIH

**Art Unit**

2173

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 8-13, 16, 22 and 23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-13, 16, 22 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-21 are pending in this application and have been examined in response to application filed on 02/29/2008.
2. The previously applied drawing objection is hereby withdrawn in view of applicant's amendment.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. The term "significant delay" in claims 1 and 23 is a relative term which renders the claim indefinite.
4. Claims 1, 9 and 23 recites the limitation "the location". There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**6. Claims 1-5, 8-13, 16 and 22-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Fliess et al. (Fliess, US 7,168,045 B2), Schmitt (US 2004/0104947 A1) and Datta (US 2004/0128618 A1).**

7. As to **INDEPENDENT** claim 1, Fliess discloses a method in a computer system for generating a display page, the method comprising:

receiving a request to generate a display page, wherein the display page comprises realtime information and non-realtime information, realtime information comprises information capable of being retrieved or generated without significant delay (col.5, lines 19-22; col.6, lines 8-12; realtime information is retrieved via a retrieval component wherein the realtime information are displayed without significant delay because no additional processes are required to display the realtime information), and non-realtime information comprises information for which retrieval or generation will result in significant delay (col.2, lines 31-38, "business objects", lines 25-30 and lines 39-44, "graphic objects"; the non-realtime "graphic objects" generated by the realtime "business objects" via fig.6, "670"; the "reporting and analysis" module generates associated charts and reports from the source system. Significant delay relative to the display of the realtime information, because extra steps are needed to transform realtime "business objects" to non-realtime "graphic objects");

retrieving the realtime information to be included on the requested display page (col.5, lines 19-22; col.6, lines 8-12; realtime information is retrieved via a retrieval component and a classification component and displayed via a view builder).

Fliess does not specifically disclose if a previously cached version of the non-realtime information is available, generating the requested display page comprising the retrieved realtime information and the previously cached non-realtime information; and if a previously cached version of the non-realtime information is not available, generating the requested display page comprising the retrieved realtime information and an indication that the non-realtime information is not yet ready for display, wherein the indication that the non-realtime information is not yet ready for display is provided in the location in which the non-realtime information is to be displayed, requesting generation of the non-realtime information, caching the generated non-realtime information, and generating the requested display page comprising the retrieved realtime information and the cached non-realtime information in response to a subsequent request for the requested display page.

In the same field of endeavor, Datta discloses if a previously cached version of the non-realtime information is available, generating the requested display page comprising the previously cached non-realtime information (fig.9, "904", "910"; if a content element is previously cached, display a webpage with the previously cached content element); and

if a previously cached version of the non-realtime information is not available, generating the requested display page comprising, requesting generation of the non-realtime information, caching the generated non-realtime information, and generating the requested display page comprising the retrieved realtime information and the cached non-realtime information in response to a subsequent request for the requested display page (fig.9, "904", "912", "910"; if a previously cached content element is not available, generate the content element, store the content element in a buffer, then display a webpage with the content element).

It would have been obvious to one of ordinary skill in the art, having the teaching of Fliess and Datta before him at the time the invention was made, to modify the information representation interface taught by Fliess to include web page components cache Datta with the motivation being to improve web page delivery speed (Datta, [0002]).

Fliess and Datta does not disclose an indication that the non-realtime information is not yet ready to be included on the display page, wherein the indication that the non-realtime information is not yet ready for display is provided in the location in which the non-realtime information is to be displayed.

In the same field of endeavor, Schmitt discloses an indication that the status of a content information to be included on the display page, wherein the indication that the

status of the content information for display is provided in the location in which the content information is to be displayed ([0043], a status indicator monitors and reports the status of contents represented in the portal, wherein both the content information and the status indicator are located on same the portal page).

It would have been obvious to one of ordinary skill in the art, having the teaching of Fliess and Datta and the teaching of Schmitt before him at the time the invention was made, to modify the real time / non-real time information representation interface taught by Fliess and Datta to include status indicators taught by Schmitt with the motivation being to alert a user to the status or change in status that is relevant to the user (Schmitt, pg.2, [0012]).

8. As to claim 2, Schmitt discloses a link for requesting the display page (pg.4, [0051], [0053]; the status indicator is fully configurable in accordance to user input).
9. As to claim 3, Fliess discloses the request to generate the display page is received from a user (col.4, lines 4-6; the "client" sends a request to display the page).
10. As to claim 4, Fliess discloses the request to generate the display page is received when a user logs on to one of the computer system and a client coupled to the computer system (fig.7, "700"; col.8, lines 4-6).

11. As to claim 5, Fliess discloses the display page is a homepage (col.5, lines 54-57; the "web portal" provides an entry point for the user interface).

12. As to claim 8, Fliess discloses the generated information includes a graphical representation of information (col.1, lines 24-25; fig.1, "110"; business information are represented as different graphic objects).

13. As to **INDEPENDENT** claim 9, see rationale addressed in the rejection of claim 1 above.

14. As to claim 10, claim 10 incorporates substantially similar subject matter as claimed in claim 2, and is rejected under the same rationale.

15. As to claim 11, claim 11 incorporates substantially similar subject matter as claimed in claim 3, and is rejected under the same rationale.

16. As to claim 12, claim 12 incorporates substantially similar subject matter as claimed in claim 4, and is rejected under the same rationale.



17. As to claim 13, claim 13 incorporates substantially similar subject matter as claimed in claim 5, and is rejected under the same rationale.

18. As to claim 16, claim 16 incorporates substantially similar subject matter as claimed in claim 8, and is rejected under the same rationale.

19. As to claim 22, discloses if a previously cached version of the non-realtime information is available,

requesting re-generation of the non-realtime information subsequent to said generating the requested display page comprising the previously cached non-realtime information,

caching the re-generated non-realtime information, and generating the requested display page comprising the retrieved realtime information and the cached re-generated non-realtime information in response to a subsequent request for the requested display page.

20. As to claim 22, see rationale addressed in the rejection of claim 1 above. Further, refreshing a display screen for the purpose of updating the status of a currently displayed web page is notoriously well known in the art.

21. As to claim 23, see rationale addressed in the rejection of claim 1 above.

***Response to Arguments***

22. Applicant's arguments filed 02/29/2008 have been fully considered but they are not persuasive.

23. Applicant argues that Fliess does not disclose the difference between realtime and non-realtime information.

In response to applicant's argument, Fliess discloses having a non-realtime "graphic objects" (col.2 lines 39-44) generated by the realtime "business objects" (col.2, lines 31-38) via a "reporting and analysis" module (fig.6, "670"; col.7, lines 42-50) that generates associated charts and reports from the source system. Delay relative to the display of the realtime information is presented, because extra steps (col.2, lines 25-30) are needed to transform realtime "business objects" to non-realtime "graphic objects".

24. Applicant argues that Fliess and Schmitt do not disclose an indication that the non-realtime information is not yet ready for display.

In response to applicant's argument, Fliess discloses generating and displaying non-realtime information in a portal (col.2, lines 39-54; col.4, lines 4-9). However, Fliess does not disclose an indication that the non-realtime information is not yet ready for display.

In the same view of endeavor, Schmitt discloses a status indicator that inform the users of changes of portal environmental information ([0043], [0036]).

It would have been obvious to one of ordinary skill in the art, having the teaching of Fliess the teaching of Schmitt before him at the time the invention was made, to modify the real time / non-real time information representation interface taught by Fliess to include status indicators taught by Schmitt with the motivation being to alert a user to the status or change in status that is relevant to the user (Schmitt, pg.2, [0012]).

25. Applicant argues that Fliess and Schmitt do not disclose the indication that the non-realtime information is not yet ready provided in the location in which the non-realtime information is to be displayed.

In response to applicant's argument, Schmitt discloses an indication that the status of a content information to be included on the display page, wherein the indication that the status of the content information for display is provided in the location in which the content information is to be displayed ([0043], a status indicator monitors and reports the status of contents represented in the portal, wherein both the content information and the status indicator are located on same the portal page).

It would have been obvious to one of ordinary skill in the art, having the teaching of Fliess and the teaching of Schmitt before him at the time the invention was made, to

modify the real time / non-real time information representation interface taught by Fliess to include status indicators taught by Schmitt with the motivation being to alert a user to the status or change in status that is relevant to the user (Schmitt, pg.2, [0012]).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAOSHIAN SHIH whose telephone number is (571)270-1257. The examiner can normally be reached on m-f 0730-1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Art Unit: 2100

/DENNIS-DOON CHOW/

Supervisory Patent Examiner, Art Unit 2173